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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/596,805

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Jose Maria Isenser Farre

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EXAMINER

MALANGONE, CARMINE

ART UNIT

PAPER NUMBER

2423

MAIL DATE

DELIVERY MODE

09/29/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/596,805	<b>Applicant(s)</b> ISENSER FARRE ET AL.	
	<b>Examiner</b> CARMINE MALANGONE	<b>Art Unit</b> 2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to Claim 1 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Park et al. (US 2001/0056576).

Regarding Claim 1, Park discloses an electronic device (se Fig. 3) integrated into a reception system (see Fig. 3; the reception system is interpreted as the devices of Fig. 3 along with the content sources supplying content to this device) for digital television networks (see Par. [0009]), comprising:

two or more network accesses (see Fig. 3, antennas and els. 610 and 620) that generate two or more different data flows (see Fig. 3, Path 610-(CPU or 700) and Path

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620-(CPU or 700); transport streams are tuned to and transmitted to a common interface controllers and CPU 812; the stream transmissions are therefore interpreted as being generated), each of the different data flows corresponding to a different MPEG data transport stream (see Par. [0006], [0023], [0026], and [0035]; although not disclosed explicitly, the input streams are different MPEG streams; also see Par. [0063] for the intended use of Park's disclosure);

common interface modules (see Fig. 3, els. 910 and 920) that may acts as filters, transformers (see the Abstract and Par. [0036]; if the input TSs are for paid services, the MPEG-2 streams will be descrambled by the common interface modules) or regenerators of data;

two or more reception devices that extract and interpret each data flow (see Fig. 3, decoders 820 and 810 and also see Par. [0063]);

a routing device for routing the data flows (see Par. [0036]; matrix switch); and

a central processor (see Fig. 3, CPU 812) and a common interface controller (see Fig. 3, el. 700) for

managing MPEG data flows so that the data from the two or more network accesses are routed by the routing device to the two or more reception devices (see Par. [0063]; two TSs may be viewed simultaneously via different displays or via a PIP feature of a television set), with each of said data flows being redirected through the common interface modules if necessary (see Par. [0036] – [0042]; the data streams will be routed to the common interface modules only if the input TSs are for paid broadcast and therefore requiring descrambling) and

generating the data for two or more final applications, simultaneously (see Par. [0063]; multiple displays and/or PIP).

Regarding Claim 2, Park further discloses the routing device includes a matrix (see Par. [0036]; a matrix switch is disclosed).

Regarding Claim 3, Park further discloses the central processor and common interface controller route the data intelligently (see Par. [0036]-[0042] and [0055]; CPU 812 determines whether redirection to the common interface modules is necessary) and indistinctly (see Par. [0055]; "... and when the host CPU 812 directs the first output signal TS\_OUT\_1 to either the CI module A or the CI module B..."; the CPU can direct the TSs to either CI module A or CI module B; this feature is interpreted as meeting the "indistinctly" limitation).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Tournier (US 2004/0114051) teaches routing and managing input video data signals in accordance with the DVB-CI standard.
- b. Kangas (US 7,580,522) teaches routing and managing input video data signals via a descrambling device in accordance with Common Interface technology.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CARMINE MALANGONE** whose telephone number is (571)270-5682. The examiner can normally be reached on Monday - Friday, 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Y. Koenig can be reached on (571)272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.M.

/Andrew Y Koenig/  
Supervisory Patent Examiner, Art Unit 2423